

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 5/11/06

UNITED STATES OF AMERICA,
Plaintiff,
v.
SALVADOR MACIAS-VALENCIA and
HECTOR JAVIER MACIAS-VALENCIA,
Defendants.

No. CR 06-00010-RMW

**ORDER OF THE COURT
EXCLUDING TIME**

The above-captioned case came before the court on Monday, April 24, 2006 at 9:00 a.m. for status hearing. The defendants were personally present and were represented by counsel. Counsel for the United States was present. At the conclusion of the hearing, the court ruled as follows:

The court hereby sets this case for jury trial to commence on Wednesday, July 5, 2006 at 1:30 p.m. and for a pretrial conference on June 22, 2006 at 2 p.m.

During the hearing on April 24, 2006, the court also set a further status hearing to take place in this case on Monday, May 15, 2006 at 9:00 a.m. Because counsel for the government will be flying to Columbia, South Carolina on that date for professional training at the National

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1 Advocacy Center, the court hereby sets the further status hearing on Monday, May 22, 2006 at
2 9:00 a.m. instead, a date on which the government represents that counsel for both defendants
3 are available to appear.

4 Pursuant to Title 18, United States Code, Section 3161(h)(8), the court excludes the period of
5 time from April 24, 2006 through and including July 5, 2006, from the computation of the period
6 of time within which the trial must commence. The court FINDS that the ends of justice served
7 by the delay outweigh the best interest of the public and the defendants in a speedy trial. The
8 court bases this finding on the need of the parties to prepare transcripts and exhibits for trial; the
9 need of the defense to locate an expert witness regarding drug valuations and weights; and to
10 afford counsel the reasonable time necessary for effective preparation, within the meaning of 18
11 U.S.C. Section 3161(h)(8)(B)(iv).

12 **IT IS SO ORDERED.**

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14 DATED: 5/11/06

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16 /s/ Ronald M. Whyte
17 RONALD M. WHYTE
18 United States District Judge
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